

108TH CONGRESS
1ST SESSION

H. R. 1104

To prevent child abduction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2003

Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, Mr. CHABOT, Mr. GREEN of Wisconsin, Mr. HYDE, and Mr. COBLE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prevent child abduction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Abduction Pre-
5 vention Act”.

TITLE I—SANCTIONS AND OFFENSES

SEC. 101. SUPERVISED RELEASE TERM FOR SEX OFFENDERS.

Section 3583 of title 18, United States Code, is amended—

(1) in subsection (e)(3), by inserting “on any such revocation” after “required to serve”;

(2) in subsection (h), by striking “that is less than the maximum term of imprisonment authorized under subsection (e)(3)”;

(3) by adding at the end the following:

“(k) Notwithstanding subsection (b), the authorized term of supervised release for any offense under section 1201 involving a minor victim, and for any offense under chapter 109A, 110, or 117, or section 1591, is any term of years or life, and the sentence for any such offense that is a felony shall include a term of supervised release of at least 5 years.”.

SEC. 102. FIRST DEGREE MURDER FOR CHILD ABUSE AND CHILD TORTURE MURDERS.

Section 1111 of title 18, United States Code, is amended—

(1) in subsection (a)—

1 (A) by inserting “child abuse,” after “sex-
2 ual abuse,”; and

3 (B) by inserting “or perpetrated as part of
4 a pattern or practice of assault or torture
5 against a child or children,” after “robbery;”;
6 and

7 (2) by inserting at the end the following:

8 “(c) For purposes of this section—

9 “(1) the term ‘assault’ has the same meaning
10 as given that term in section 113;

11 “(2) the term ‘child’ means a person who has
12 not attained the age of 18 years and is—

13 “(A) under the perpetrator’s care or con-
14 trol; or

15 “(B) at least six years younger than the
16 perpetrator;

17 “(3) the term ‘child abuse’ means intentionally,
18 knowingly, or recklessly causing death or serious
19 bodily injury to a child;

20 “(4) the term ‘pattern or practice of assault or
21 torture’ means assault or torture engaged in on at
22 least two occasions;

23 “(5) the term ‘recklessly’ with respect to caus-
24 ing death or serious bodily injury—

1 “(A) means causing death or serious bodily
 2 injury under circumstances in which the perpe-
 3 trator is aware of and disregards a grave risk
 4 of death or serious bodily injury; and

5 “(B) such recklessness can be inferred
 6 from the character, manner, and circumstances
 7 of the perpetrator’s conduct;

8 “(6) the term ‘serious bodily injury’ has the
 9 meaning set forth in section 1365; and

10 “(7) the term ‘torture’ means conduct, whether
 11 or not committed under the color of law, that other-
 12 wise satisfies the definition set forth in section
 13 2340(1).”.

14 **SEC. 103. SEXUAL ABUSE PENALTIES.**

15 (a) MAXIMUM PENALTY INCREASES.—(1) Chapter
 16 110 of title 18, United States Code, is amended—

17 (A) in section 2251(d)—

18 (i) by striking “20” and inserting “30”;

19 and

20 (ii) by striking “30” the first place it ap-
 21 pears and inserting “50”;

22 (B) in section 2252(b)(1)—

23 (i) by striking “15” and inserting “20”;

24 and

25 (ii) by striking “30” and inserting “40”;

1 (C) in section 2252(b)(2)—

2 (i) by striking “5” and inserting “10”; and

3 (ii) by striking “10” and inserting “20”;

4 (D) in section 2252A(b)(1)—

5 (i) by striking “15” and inserting “20”;

6 and

7 (ii) by striking “30” and inserting “40”;

8 and

9 (E) in section 2252A(b)(2)—

10 (i) by striking “5” and inserting “10”; and

11 (ii) by striking “10” and inserting “20”.

12 (2) Chapter 117 of title 18, United States Code, is
13 amended—

14 (A) in section 2422(a), by striking “10” and in-
15 serting “20”;

16 (B) in section 2422(b), by striking “15” and
17 inserting “30”; and

18 (C) in section 2423(a), by striking “15” and in-
19 serting “30”.

20 (3) Section 1591(b)(2) of title 18, United States
21 Code, is amended by striking “20” and inserting “40”.

22 (b) MINIMUM PENALTY INCREASES.—(1) Chapter
23 110 of title 18, United States Code, is amended—

24 (A) in section 2251(d)—

1 (i) by striking “or imprisoned not less than
2 10” and inserting “and imprisoned not less
3 than 15”;

4 (ii) by striking “and both,”;

5 (iii) by striking “15” and inserting “25”;

6 and

7 (iv) by striking “30” the second place it
8 appears and inserting “35”;

9 (B) in section 2251A(a) and (b), by striking
10 “20” and inserting “30”;

11 (C) in section 2252(b)(1)—

12 (i) by striking “or imprisoned” and insert-
13 ing “and imprisoned not less than 10 years
14 and”;

15 (ii) by striking “or both,”; and

16 (iii) by striking “5” and inserting “15”;

17 (D) in section 2252(b)(2)—

18 (i) by striking “or imprisoned” and insert-
19 ing “and imprisoned not less than 5 years
20 and”;

21 (ii) by striking “or both,”; and

22 (iii) by striking “2” and inserting “10”;

23 (E) in section 2252A(b)(1)—

1 (i) by striking “or imprisoned” and insert-
2 ing “and imprisoned not less than 10 years
3 and”;

4 (ii) by striking “or both,”; and

5 (iii) by striking “5” and inserting “15”;
6 and

7 (F) in section 2252A(b)(2)—

8 (i) by striking “or imprisoned” and insert-
9 ing “and imprisoned not less than 5 years
10 and”;

11 (ii) by striking “or both,”; and

12 (iii) by striking “2” and inserting “10”.

13 (2) Chapter 117 of title 18, United States Code, is
14 amended—

15 (A) in section 2422(a)—

16 (i) by striking “or imprisoned” and insert-
17 ing “and imprisoned not less than 2 years
18 and”;

19 (ii) by striking “, or both”;

20 (B) in section 2422(b)—

21 (i) by striking “, imprisoned” and inserting
22 “and imprisoned not less than 5 years and”;
23 and

24 (ii) by striking “, or both”; and

25 (C) in section 2423(a)—

- 1 (i) by striking “, imprisoned” and inserting
2 “and imprisoned not less than 5 years and”;
3 and
4 (ii) by striking “, or both”.

5 **SEC. 104. STRONGER PENALTIES AGAINST KIDNAPPING.**

6 (a) SENTENCING GUIDELINES.—Notwithstanding
7 any other provision of law regarding the amendment of
8 Sentencing Guidelines, the United States Sentencing
9 Commission is directed to amend the Sentencing Guide-
10 lines, to take effect on the date that is 30 days after the
11 date of the enactment of this Act—

12 (1) so that the base level for kidnapping in sec-
13 tion 2A4.1(a) is increased from level 24 to level 32
14 (121–151 months);

15 (2) so as to delete section 2A4.1(b)(4)(C); and

16 (3) so that the increase provided by section
17 2A4.1(b)(5) is 6 levels instead of 3.

18 (b) MINIMUM MANDATORY SENTENCE.—Section
19 1201(g) of title 18, United States Code, is amended by
20 striking “shall be subject to paragraph (2)” in paragraph
21 (1) and all that follows through paragraph (2) and insert-
22 ing “shall include imprisonment for not less than 20
23 years.”.

1 **SEC. 105. PENALTIES AGAINST SEX TOURISM.**

2 (a) IN GENERAL.—Section 2423 of title 18, United
3 States Code, is amended by striking subsection (b) and
4 inserting the following:

5 “(b) TRAVEL WITH INTENT TO ENGAGE IN ILLICIT
6 SEXUAL CONDUCT.—A person who travels in interstate
7 commerce or travels into the United States, or a United
8 States citizen or an alien admitted for permanent resi-
9 dence in the United States who travels in foreign com-
10 merce, for the purpose of engaging in any illicit sexual
11 conduct with another person shall be fined under this title
12 or imprisoned not more than 30 years, or both.

13 “(c) ENGAGING IN ILLICIT SEXUAL CONDUCT IN
14 FOREIGN PLACES.—Any United States citizen or alien ad-
15 mitted for permanent residence who travels in foreign
16 commerce, and engages in any illicit sexual conduct with
17 another person shall be fined under this title or imprisoned
18 not more than 30 years, or both.

19 “(d) ANCILLARY OFFENSES.—Whoever arranges, in-
20 duces, procures, or facilitates the travel of a person know-
21 ing that such a person is traveling in interstate commerce
22 or foreign commerce for the purpose of engaging in illicit
23 sexual conduct shall be fined under this title, imprisoned
24 not more than 30 years, or both.

25 “(e) ATTEMPT AND CONSPIRACY.—Whoever at-
26 tempts or conspires to violate subsection (a), (b), (c), or

1 (d) shall be punishable in the same manner as a completed
2 violation of that subsection.

3 “(f) DEFINITION.—As used in this section, the term
4 ‘illicit sexual conduct’ means (1) a sexual act (as defined
5 in section 2246) with a person that would be in violation
6 of chapter 109A if the sexual act occurred in the special
7 maritime and territorial jurisdiction of the United States;
8 or (2) any commercial sex act (as defined in section 1591)
9 with a person who has not attained the age of 18 years.

10 “(g) DEFENSE.—In a prosecution under this section
11 based on illicit sexual conduct as defined in subsection
12 (f)(2), it is a defense, which the defendant must establish
13 by a preponderance of the evidence, that the defendant
14 reasonably believed that the person with whom the defend-
15 ant engaged in the commercial sex act had attained the
16 age of 18 years.”.

17 (b) CONFORMING AMENDMENT.—Section 2423(a) of
18 title 18, United States Code, is amended by striking “or
19 attempts to do so,”.

20 **SEC. 106. TWO STRIKES YOU’RE OUT.**

21 (a) IN GENERAL.—Section 3559 of title 18, United
22 States Code, is amended by adding at the end the fol-
23 lowing new subsection:

24 “(e) MANDATORY LIFE IMPRISONMENT FOR RE-
25 PEATED SEX OFFENSES AGAINST CHILDREN.—

1 “(1) IN GENERAL.—A person who is convicted
2 of a Federal sex offense in which a minor is the vic-
3 tim shall be sentenced to life imprisonment if the
4 person has a prior sex conviction in which a minor
5 was the victim, unless the sentence of death is im-
6 posed.

7 “(2) DEFINITIONS.—For the purposes of this
8 subsection—

9 “(A) the term ‘Federal sex offense’
10 means—

11 “(i) an offense under section 2241
12 (relating to aggravated sexual abuse),
13 2242 (relating to sexual abuse), 2243(a)
14 (relating to sexual abuse of a minor),
15 2244(a)(1) or (2) (relating to abusive sex-
16 ual contact), 2245 (relating to sexual
17 abuse resulting in death), or 2251A (relat-
18 ing to selling or buying of children); or

19 “(ii) an offense under section 2423(a)
20 (relating to transportation of minors) in-
21 volving prostitution or sexual activity con-
22 stituting a State sex offense;

23 “(B) the term ‘State sex offense’ means an
24 offense under State law that consists of conduct
25 that would be a Federal sex offense if, to the

1 extent or in the manner specified in the applica-
2 ble provision of this title—

3 “(i) the offense involved interstate or
4 foreign commerce, or the use of the mails;
5 or

6 “(ii) the conduct occurred in any com-
7 monwealth, territory, or possession of the
8 United States, within the special maritime
9 and territorial jurisdiction of the United
10 States, in a Federal prison, on any land or
11 building owned by, leased to, or otherwise
12 used by or under the control of the Gov-
13 ernment of the United States, or in the In-
14 dian country (as defined in section 1151);

15 “(C) the term ‘prior sex conviction’ means
16 a conviction for which the sentence was imposed
17 before the conduct occurred constituting the
18 subsequent Federal sex offense, and which was
19 for a Federal sex offense or a State sex offense;

20 “(D) the term ‘minor’ means an individual
21 who has not attained the age of 17 years; and

22 “(E) the term ‘State’ has the meaning
23 given that term in subsection (c)(2).”.

24 (b) CONFORMING AMENDMENT.—Sections 2247(a)
25 and 2426(a) of title 18, United States Code, are each

1 amended by inserting “, unless section 3559(e) applies”
 2 before the final period.

3 **SEC. 107. ATTEMPT LIABILITY FOR INTERNATIONAL PA-**
 4 **RENTAL KIDNAPPING.**

5 Section 1204 of title 18, United States Code, is
 6 amended—

7 (1) in subsection (a), by inserting “, or at-
 8 tempts to do so,” before “or retains”; and

9 (2) in subsection (c)—

10 (A) in paragraph (1), by inserting “or the
 11 Uniform Child Custody Jurisdiction and En-
 12 forcement Act” before “and was”; and

13 (B) in paragraph (2), by inserting “or”
 14 after the semicolon.

15 **TITLE II—INVESTIGATIONS AND**
 16 **PROSECUTIONS**
 17 **Subtitle A—Law Enforcement Tools**
 18 **To Protect Children**

19 **SEC. 201. INTERCEPTIONS OF COMMUNICATIONS IN INVES-**
 20 **TIGATIONS OF SEX OFFENSES.**

21 (a) IN GENERAL.—Section 2516(1) of title 18,
 22 United States Code, is amended—

23 (1) in paragraph (a), by inserting after “chap-
 24 ter 37 (relating to espionage),” the following: “chap-
 25 ter 55 (relating to kidnapping),”; and

1 (2) in paragraph (c)—

2 (A) by inserting “1591 (sex trafficking),”
3 before “section 1751”;

4 (B) by striking “2251 and 2252 (sexual
5 exploitation of children)” and inserting “2251,
6 2251A, 2252, 2252A, and 2260 (sexual exploi-
7 tation of children)”;

8 (C) by inserting “sections 2421, 2422,
9 2423, and 2425 (transportation for illegal sex-
10 ual activity and related crimes)” before “section
11 1029”.

12 (b) TRANSPORTATION FOR ILLEGAL SEXUAL ACTIV-
13 ITY.—Section 2516(1) of title 18, United States Code, is
14 amended—

15 (1) by striking “or” at the end of paragraph
16 (q);

17 (2) by inserting after paragraph (q) the fol-
18 lowing:

19 “(r) a violation of section 2422 (relating to co-
20 ercion and enticement) and section 2423(a) (relating
21 to transportation of minors) of this title, if, in con-
22 nection with that violation, the intended sexual activ-
23 ity would constitute a felony violation of chapter
24 109A or 110, including a felony violation of chapter
25 109A or 110 if the sexual activity occurred, or was

1 intended to occur, within the special maritime and
 2 territorial jurisdiction of the United States, regard-
 3 less of where it actually occurred or was intended to
 4 occur; or”; and

5 (3) by redesignating paragraph (r) as para-
 6 graph (s).

7 **SEC. 202. NO STATUTE OF LIMITATIONS FOR CHILD ABDUC-**
 8 **TION AND SEX CRIMES.**

9 (a) IN GENERAL.—(1) Chapter 213 of title 18,
 10 United States Code, is amended by adding at the end the
 11 following new section:

12 **“§ 3296. Child abduction and sex offenses**

13 “Notwithstanding any other provision of law, an in-
 14 dictment may be found or an information instituted at any
 15 time without limitation for any offense under section 1201
 16 involving a minor victim, and for any felony under chapter
 17 109A, 110, or 117, or section 1591.”.

18 (2) The table of sections at the beginning of such
 19 chapter is amended by adding at the end the following
 20 new item:

“3296. Child abduction and sex offenses.”.

21 (b) APPLICATION.—The amendments made by this
 22 section shall apply to the prosecution of any offense com-
 23 mitted before, on, or after the date of the enactment of
 24 this section.

1 **Subtitle B—No Pretrial Release for**
2 **Those Who Rape or Kidnap**
3 **Children**

4 **SEC. 221. NO PRETRIAL RELEASE FOR THOSE WHO RAPE**
5 **OR KIDNAP CHILDREN.**

6 Section 3142(e) of title 18, United States Code, is
7 amended—

8 (1) by inserting “1201 (if the victim has not at-
9 tained the age of 18 years), 1591 (if the victim has
10 not attained the age of 18 years),” before “or
11 2332b”; and

12 (2) by striking “of title 18 of the United States
13 Code” and inserting “or a felony offense under
14 chapter 109A, 110, or 117 where a victim has not
15 attained the age of 18 years”.

16 **Subtitle C—No Waiting Period To**
17 **Report Missing Children**
18 **“Suzanne’s Law”**

19 **SEC. 241. AMENDMENT.**

20 Section 3701(a) of the Crime Control Act of 1990
21 (42 U.S.C. 5779(a)) is amended by striking “age of 18”
22 and inserting “age of 21”.

1 **TITLE III—PUBLIC OUTREACH**

2 **SEC. 301. NATIONAL COORDINATION OF AMBER ALERT**
3 **COMMUNICATIONS NETWORK.**

4 (a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an officer of the
5 Department of Justice to act as the national coordinator
6 of the AMBER Alert communications network regarding
7 abducted children. The officer so designated shall be
8 known as the AMBER Alert Coordinator of the Department of Justice.

11 (b) DUTIES.—In acting as the national coordinator
12 of the AMBER Alert communications network, the Coordinator shall—

14 (1) seek to eliminate gaps in the network, including gaps in areas of interstate travel;

16 (2) work with States to encourage the development of additional elements (known as local
17 AMBER plans) in the network;

19 (3) work with States to ensure appropriate regional coordination of various elements of the network; and

22 (4) act as the nationwide point of contact for—

23 (A) the development of the network; and

24 (B) regional coordination of alerts on abducted children through the network.

1 (c) CONSULTATION WITH FEDERAL BUREAU OF IN-
 2 VESTIGATION.—In carrying out duties under subsection
 3 (b), the Coordinator shall notify and consult with the Di-
 4 rector of the Federal Bureau of Investigation concerning
 5 each child abduction for which an alert is issued through
 6 the AMBER Alert communications network.

7 (d) COOPERATION.—The Coordinator shall cooperate
 8 with the Secretary of Transportation and the Federal
 9 Communications Commission in carrying out activities
 10 under this section.

11 **SEC. 302. MINIMUM STANDARDS FOR ISSUANCE AND DIS-**
 12 **SEMINATION OF ALERTS THROUGH AMBER**
 13 **ALERT COMMUNICATIONS NETWORK.**

14 (a) ESTABLISHMENT OF MINIMUM STANDARDS.—
 15 Subject to subsection (b), the AMBER Alert Coordinator
 16 of the Department of Justice shall establish minimum
 17 standards for—

- 18 (1) the issuance of alerts through the AMBER
 19 Alert communications network; and
 20 (2) the extent of the dissemination of alerts
 21 issued through the network.

22 (b) LIMITATIONS.—(1) The minimum standards es-
 23 tablished under subsection (a) shall be adoptable on a vol-
 24 untary basis only.

1 (2) The minimum standards shall, to the maximum
2 extent practicable (as determined by the Coordinator in
3 consultation with State and local law enforcement agen-
4 cies), provide that the dissemination of an alert through
5 the AMBER Alert communications network be limited to
6 the geographic areas most likely to facilitate the recovery
7 of the abducted child concerned.

8 (3) In carrying out activities under subsection (a),
9 the Coordinator may not interfere with the current system
10 of voluntary coordination between local broadcasters and
11 State and local law enforcement agencies for purposes of
12 the AMBER Alert communications network.

13 (c) COOPERATION.—(1) The Coordinator shall co-
14 operate with the Secretary of Transportation and the Fed-
15 eral Communications Commission in carrying out activi-
16 ties under this section.

17 (2) The Coordinator shall also cooperate with local
18 broadcasters and State and local law enforcement agencies
19 in establishing minimum standards under this section.

20 **SEC. 303. GRANT PROGRAM FOR NOTIFICATION AND COM-**
21 **MUNICATIONS SYSTEMS ALONG HIGHWAYS**
22 **FOR RECOVERY OF ABDUCTED CHILDREN.**

23 (a) PROGRAM REQUIRED.—The Secretary of Trans-
24 portation shall carry out a program to provide grants to
25 States for the development or enhancement of notification

1 or communications systems along highways for alerts and
2 other information for the recovery of abducted children.

3 (b) ACTIVITIES.—Activities funded by grants under
4 the program under subsection (a) may include—

5 (1) the development or enhancement of elec-
6 tronic message boards along highways and the place-
7 ment of additional signage along highways; and

8 (2) the development or enhancement of other
9 means of disseminating along highways alerts and
10 other information for the recovery of abducted chil-
11 dren.

12 (c) FEDERAL SHARE.—The Federal share of the cost
13 of any activities funded by a grant under the program
14 under subsection (a) may not exceed 50 percent.

15 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-
16 GRAPHIC BASIS.—The Secretary shall, to the maximum
17 extent practicable, ensure the distribution of grants under
18 the program under subsection (a) on an equitable basis
19 throughout the various regions of the United States.

20 (e) ADMINISTRATION.—The Secretary shall prescribe
21 requirements, including application requirements, for
22 grants under the program under subsection (a).

23 (f) AUTHORIZATION OF APPROPRIATIONS.—(1)
24 There is authorized to be appropriated for the Department

1 of Transportation \$20,000,000 for fiscal year 2003 to
2 carry out this section.

3 (2) Amounts appropriated pursuant to the authoriza-
4 tion of appropriations in paragraph (1) shall remain avail-
5 able until expended.

6 **SEC. 304. GRANT PROGRAM FOR SUPPORT OF AMBER**
7 **ALERT COMMUNICATIONS PLANS.**

8 (a) PROGRAM REQUIRED.—The Attorney General
9 shall carry out a program to provide grants to States for
10 the development or enhancement of programs and activi-
11 ties for the support of AMBER Alert communications
12 plans.

13 (b) ACTIVITIES.—Activities funded by grants under
14 the program under subsection (a) may include—

15 (1) the development and implementation of edu-
16 cation and training programs, and associated mate-
17 rials, relating to AMBER Alert communications
18 plans;

19 (2) the development and implementation of law
20 enforcement programs, and associated equipment,
21 relating to AMBER Alert communications plans;
22 and

23 (3) such other activities as the Attorney Gen-
24 eral considers appropriate for supporting the
25 AMBER Alert communications program.

1 (c) FEDERAL SHARE.—The Federal share of the cost
2 of any activities funded by a grant under the program
3 under subsection (a) may not exceed 50 percent.

4 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-
5 GRAPHIC BASIS.—The Attorney General shall, to the max-
6 imum extent practicable, ensure the distribution of grants
7 under the program under subsection (a) on an equitable
8 basis throughout the various regions of the United States.

9 (e) ADMINISTRATION.—The Attorney General shall
10 prescribe requirements, including application require-
11 ments, for grants under the program under subsection (a).

12 (f) AUTHORIZATION OF APPROPRIATIONS.—(1)
13 There is authorized to be appropriated for the Department
14 of Justice \$5,000,000 for fiscal year 2003 to carry out
15 this section.

16 (2) Amounts appropriated pursuant to the authoriza-
17 tion of appropriations in paragraph (1) shall remain avail-
18 able until expended.

19 **SEC. 305. INCREASED SUPPORT.**

20 Section 404(b)(2) of the Juvenile Justice and Delin-
21 quency Prevention Act of 1974 (42 U.S.C. 5773(b)(2)) is
22 amended by inserting “and \$20,000,000 for each of fiscal
23 years 2004 and 2005” after “and 2003”.

1 **SEC. 306. SEX OFFENDER APPREHENSION PROGRAM.**

2 Section 1701(d) of part Q of title I of the Omnibus
3 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
4 3796dd(d)) is amended—

5 (1) by redesignating paragraphs (10) and (11)
6 as (11) and (12), respectively; and

7 (2) by inserting after paragraph (9) the fol-
8 lowing:

9 “(10) assist a State in enforcing a law through-
10 out the State which requires that a convicted sex of-
11 fender register his or her address with a State or
12 local law enforcement agency and be subject to
13 criminal prosecution for failure to comply;”.

○